

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

SERAFIN ZAMBADA-ORTIZ,

Defendant.

Case No. 13-CR-3575-DMS

ORDER

This matter comes before the Court on the Joint Motion for Protective Order filed pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure. Upon consideration of this motion,

IT IS HEREBY ORDERED that the defendant, counsel of record, and the counsel's assistants, as hereafter defined, shall not disclose the substance of any discovery material received from the United States in the above-captioned matter, to any third party, unless such material is already a matter of public record, without prior approval of this Court;

Under Rule 16(d) of the Federal Rules of Criminal Procedure,

IT IS FURTHER ORDERED that the United States Attorney and the Assistant United States Attorney assigned to this case (hereafter collectively referred to as "the

1 United States”) and their assistants, the defendant, counsel and assistants, shall not
2 disclose the substance of any discovery material produced to the defendant or obtained
3 by the United States from the defendant, unless such material is already a matter of
4 public record, to representatives of the media or other third parties not involved in the
5 investigation or prosecution of the case.

6 Nothing contained herein shall prevent the United States, or any defendant or
7 counsel, from disclosing such discovery material to any other attorneys working for the
8 United States, the defendants or their counsel, government agents (federal, state or
9 local), private investigators, experts, secretaries, law clerks, paralegals, or any other
10 person who is working for the United States or the defendant and his counsel
11 (collectively referred to as “assistants”) in the investigation or preparation of this case
12 or, with respect to the United States and its assistants only, in other criminal
13 investigations, without prior court order.

14 Further, nothing contained herein shall preclude the United States, defendant or
15 counsel, or their respective assistants from conducting a normal investigation of the
16 facts of this case on behalf of the United States or the defendant, or with respect to the
17 United States and its assistants only, from conducting an investigation of other criminal
18 activity, including interviewing witnesses disclosed by discovery materials, or from
19 taking statements from witnesses disclosed by discovery materials, or from asking
20 witnesses if they themselves have made prior statements to the United States that are
21 disclosed in the discovery materials, and about the contents of such statements. In
22 connection with any such investigation, it shall not be necessary that the United States,
23 the defendant or his counsel, or their respective assistants, obtain prior permission of
24 this Court.

25 Should counsel withdraw or be disqualified from participation in this case, any
26 material received and any copies derived therefrom, shall be returned to the United
27 States within ten (10) days or, if agreed to by the parties, to replacement counsel.

1 Defense counsel and the United States shall be required to communicate the
2 substance of this order and explain it to the client and assistants before disclosing the
3 substance of the discovery to the client or assistants.

4 SO ORDERED

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6 DATED: March 19, 2014

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9 HONORABLE DANA M. SABRAW
10 United States District Court Judge
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